



PATENT  
Atty. Dkt. ROC920010109US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Emerick et al.

Serial No.: 09/865,371

**Confirmation No.:**

Filed: May 25, 2001

For: Method and Apparatus  
Upgrade Assistance Using  
Critical Historical Product  
Information

## Group Art Unit: Unknown

Examiner: Unknown

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

150-22-713

**CERTIFICATE OF MAILING**  
**37 CFR 1.8**

I hereby certify that this correspondence is being deposited on  
8/12, 2001, with the United States Postal Service as First Class Mail in an envelope addressed to  
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8/12/01 Kirsten Zehn  
 Date Signature

# INFORMATION DISCLOSURE STATEMENT

The Applicant, and the Attorney who signs below on the basis of the information supplied by the inventor and the information in his file, submit herewith patents, publications, or other information of which they are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

While the information submitted in this Information Disclosure Statement may be material pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication, or other information referred to therein is prior art for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97, this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other possibly material information as defined under 37 CFR § 1.56(a) exists.

The patents and/or publications submitted herewith are set forth on the attached Form PTO-1449.

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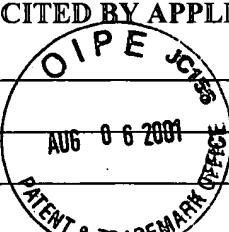
If the sum of \$180.00 is due under 37 CFR § 1.17(p) pursuant to § 1.97, the Commissioner is hereby authorized to charge this fee, and any other fee necessary to make this submission timely, to the Deposit Account No. 20-0782/IBMK1/0109.

Respectfully submitted,

Date: 8/02/01

  
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U.S. Department of Commerce, Patent and Trademark Office (PTO Form 1449 modified)				Docket No. ROC920010109US1	Serial No. 09/865,371
LIST OF PATENTS AND PUBLICATIONS CITED BY APPLICANT				Applicant Emerick et al	Confirmation No.:
(Use several sheets if necessary)				Filing Date 05/25/2001	Group Unknown
	Examiner unknown				



## U.S. Patent Documents

*Examiner Initial		Document Number	Issue Date	Applicant(s) Name	Class	Subclass	Filing Date If Appropriate
DU	A1	4,905,171	02/27/1990	Kiel et al	364	551.01	11/09/1987
DU	A2	5,408,618	04/18/1995	Aho et al	395	325	07/31/1992
DU	A3	5,627,766	05/06/1997	Beaven	364	551.01	01/03/1995
DU	A4	5,696,701	12/09/1997	Burgess et al	364	551.01	07/12/1996
DU	A5	5,758,071	05/26/1998	Burgess et al	395	200.5	07/12/1996
DU	A6	5,796,633	08/18/1998	Burgess et al	364	551.01	07/12/1996
DU	A7	5,949,976	09/07/1999	Chappelle	395	200.54	09/30/1996
DU	A8	5,961,596	10/05/1999	Takubo et al	709	224	02/14/1997
DU	A9	09/892,424	—	—	—	—	06/27/2001
DU	A10	09/892,435	—	—	—	—	06/27/2001
	A11						
	A12						
	A13						

## Foreign Patent Documents

*Examiner Initial		Document Number	Date	Country	Class	Subclass	Translation	
							YES	NO
	B1						<input type="checkbox"/>	<input type="checkbox"/>
	B2						<input type="checkbox"/>	<input type="checkbox"/>
	B3						<input type="checkbox"/>	<input type="checkbox"/>
	B4						<input type="checkbox"/>	<input type="checkbox"/>
	B5						<input type="checkbox"/>	<input type="checkbox"/>

## OTHER ART

*Examiner Initial		Including Author, Title, Date, Pertinent Pages, Etc.
DU	C1	“Performance Management/400 Offerings and Services, including Performance Management/400 – Subset”, Version 3, International Business Machines Corporation, Third Edition, September 1994.
	C2	
	C3	

Examiner

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.